IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

FRIDAY, THE 28TH DECEMBER 2007 / 7TH POUSHA 1929

Bail Appl..No. 8065 of 2007()

(CRIME NO.705/2007 OF NILAMBUR POLICE STATION)

PETITIONER/ACCUSED

FAISAL, S/O. MUHAMMED NAJEEM,
ERANHIKKAL HOUSE, MAMPAD P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

STATE OF KERALA, THROUGH THE
SUB INSPECTOR OF POLICE, NILAMBUR POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, K.S. SIVAKUMAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. K.MOHANAN, J.

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Bail Application NO.8065/2007

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Dated this the 28th day of December,2007.

O R D E R

In this application filed under Sec. 438 Cr.P.C. the petitioner, who is the sole accused in Crime No.705/2007 of Nilambur Police Station for an offence punishable under section 20 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001, seeks anticipatory bail.

2. I have heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioner shall make himselves available for interrogation as and when required by the Investigating Officer.

3. Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

4. If the petitioner commit breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.K.MOHANAN,
JUDGE.

mn